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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,475	10/22/2003	Daishi Mori	9333-357	5028

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BRINKS HOFER GILSON & LIONE
POST OFFICE BOX 10395
CHICAGO, IL 60610

EXAMINER

BLOUNT, STEVEN

ART UNIT PAPER NUMBER

2616

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,475

Applicant(s)

MORI ET AL.

Examiner

Steven Blount

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 - 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 - 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 6 – 9, and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,839,542 to Sibecas et al in view of U.S. patent 6,553,218 to Bosejes.

With regard to claim 1, Sibecas teaches the use of a duration determination unit for determining if a message is received in a valid time duration. See col 16 line 53. Sibecas also teaches “direct terminal to terminal communication” (col 3 lines 58+) wherein when a message is received by a receiver, its data is processed by the receiver in order to receive the information. While it is known that the processing occurs according to “predetermined” processing steps in the receiver phones microchip, it is noted that Sibecas et al does not explicitly teach this fact. This fact is, however, taught in Bosejes in col 8 lines 60+, wherein it would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Sibecas et al with a preprogrammed means for processing the data in the end phone units chip in light of the teachings of Bosejes in order to allow the data to be processed efficiently and correctly.

With regard to claim 2 (zones) see col 16 and 17.

With regard to claim 3, see col 11 lines 5+ (GPS).

With regard to claim 6, see the rejection of claim 1 and also col 11 lines 5+.

With regard to claim 7, note the use of GPS.

With regard to claims 8 – 9 and 15, see the rejection of claim 1.

3. Claims 5, 10 – 14, 16 - 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 6,839,542 to Sibecas et al in view of U.S. patent 6,553,218 to Bosejes as applied above and further in view of U.S. patent 6,292,743 to Pu et al.

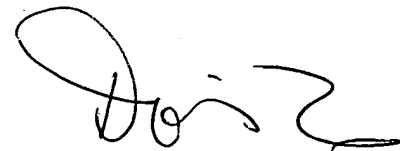
Sibecas et al/Bosejes teach the invention as described above but do not teach the use of a navigational device including street intersections. This is taught in Pu et al. See system 102 in figure 1 and note the use of street intersections in figures 10A and 10B. It would have been obvious to one of ordinary skill in the art at the time of the invention to have provided Sibecas et al/Bosejes with a navigational device in light of the teachings of Pu et al in order to allow a vehicle to properly process the transferred data.

4. Claim 4 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten to include the limitations of the base claim and any intervening claims.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Blount whose telephone number is 703-305-0319. The examiner can normally be reached on M-F 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Doris To, can be reached at 571-272-7269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DORIS H. TO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600